

OPINION
55-106

November 29, 1955 (OPINION)

SCHOOLS

RE: Pupils - Released Time Study

You state that your school board has agreed to release the high school children for one hour per week for religious instructions. The hour allotted for this purpose is during a study hall period. You state that you have been told this illegal, and you ask for our interpretation of section 15-3407 of the N.D.R.C. of 1943.

We believe that section 15-3407 is a released time statute, and under it a parent or guardian can demand that a school district release a child or children for one hour each week, or at such other times as they choose, for the purpose of attending religious instructions in the faith of their choice, but not in excess of six months in the aggregate.

We are, therefor, of the opinion that your board has not acted illegally in this matter. We do believe that the only practical way to handle a situation of this kind is for the school board, the parents or guardians of children, the superintendent of the school, and the minister or other religious instructor, to get together and cooperate to cause the least possible disruption in a child's secular education, and still accomplish the wishes of the parents or guardians in respect to a child's religious education.

LESLIE R. BURGUM

Attorney General